



Order Filed on November 15, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

ROMANO GARUBO & ARGENTIERI  
Emmanuel J. Argentieri, Esquire/3162  
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Woodbury, New Jersey 08096  
(856) 384-1515  
Attorneys for Creditor,  
KEY BANK, N.A.

DANIEL GUZMAN

JOANNA JEREZ  
A/K/A JOANNA'S CLOSET  
A/K/A JOANNA GUZMAN

Debtors.

Chapter 13

Judge: GAMBARDELLA

Case No. 16-26834

Hearing Date: September 20, 2017 @ 10:30 a.m.

**ORDER RESOLVING KEY BANK, N.A.'s MOTION  
FOR RELIEF FROM THE AUTOMATIC STAY  
SUBMITTED UNDER THE 7-DAY RULE**

The relief set forth on the following pages numbered two (2) through three (3) are hereby  
**ORDERED.**

**DATED: November 15, 2017**

A handwritten signature in cursive script that reads "Rosemary Gambardella".  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

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Debtor: Daniel Guzman and Joanna Jerez

Case No: 16-26834/RG

Caption of Order: **ORDER RESOLVING KEY BANK, N.A.'s MOTION FOR RELIEF FROM THE  
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Upon consideration of ("Movant") Key Bank, N.A.'s motion for an order, pursuant to section 362(d) of the Bankruptcy Code, for relief from the automatic stay as to certain personal property as hereinafter set forth; and the Debtors having filed opposition thereto; and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Consent Order; and for cause shown, it is hereby;

**ORDERED** as follows:

1. Debtors' post-petition arrearages through September 26, 2017 total \$2,678.26.

Debtors shall cure the arrearages as per below.

2. On or before the close of business for September 30, 2017, Debtors shall tender the sum of \$618.06 directly to Movant.

3. If Debtors do not tender the payment as per paragraph 2 above, Movant may file a certification of default and apply for relief from the automatic stay.

4. Debtors shall remit their October 26, 2017 post-petition payment timely.

5. Commencing with the November 26, 2017 post-petition payment and continuing each month thereafter through and including April 26, 2018, Debtors shall remit regular monthly payments, plus 1/6 of the balance of the above arrearage (\$343.37).

6. Commencing with the May 26, 2018 post-petition installment payment and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtors shall remit payments directly to Movant as same come due.

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Debtor: Daniel Guzman and Joanna Jerez

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7. Debtors shall reimburse Movant through their Chapter 13 Plan of Reorganization as an administrative claim the sum of \$531.00 for attorney's fees and costs incurred by Movant in the prosecution of its motion for relief from stay.

8. **Thirty-Day Default Clause:** If the Debtors should default and fail to make the payments stated herein or any future payments that come due during the pendency of this case to Movant, its successors and/or assigns, for more than (30) days from the due date, then upon certification of non-receipt of said payments in accordance herewith submitted by creditor's counsel, the Court shall enter an Order, vacating the automatic stay of 11 *U.S.C.* §362(a) with respect to creditor's enforcement of its State Law collection action against the lease for personal property; to wit: 2011 NISSAN VERSA, VIN #3N1BC1AP4BL454732. The order submitted to the Court will not require the consent of the debtors or the debtors' counsel regarding form or substance, however, the trustee, debtors and their counsel shall be given notice of any filing of a certification of non-receipt in accordance with Rule 9072-1 of the Local Rules of Bankruptcy Procedure.

9. Movant shall serve a copy of the executed order on all interested parties who have not yet been served electronically by the court.

**Certificate of Notice Page 4 of 4**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Daniel Guzman  
 Joanna Jerez  
 Debtors

Case No. 16-26834-RG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Nov 17, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 19, 2017.

db/jdb +Daniel Guzman, Joanna Jerez, 19 High Street, Wayne, NJ 07470-4714

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 19, 2017

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 17, 2017 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor Colonial Savings F.A. bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Clifford B. Frish on behalf of Joint Debtor Joanna Jerez yrodriguez@goldmanlaw.org, cfrish@goldmanlaw.org;yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com  
 Clifford B. Frish on behalf of Debtor Daniel Guzman yrodriguez@goldmanlaw.org, cfrish@goldmanlaw.org;yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com  
 David G. Beslow on behalf of Joint Debtor Joanna Jerez yrodriguez@goldmanlaw.org, yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com  
 David G. Beslow on behalf of Debtor Daniel Guzman yrodriguez@goldmanlaw.org, yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com  
 Denise E. Carlon on behalf of Creditor Colonial Savings F.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Emmanuel J. Argentieri on behalf of Creditor Key Bank, N.A. bk@rgalegal.com  
 Marie-Ann Greenberg magecf@magtrustee.com  
 Mark Goldman on behalf of Debtor Daniel Guzman yrodriguez@goldmanlaw.org, yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com  
 Mark Goldman on behalf of Joint Debtor Joanna Jerez yrodriguez@goldmanlaw.org, yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com  
 Michael E. Blaine on behalf of Creditor TD Auto Finance LLC mblaine@schillerknapp.com, tshariff@schillerknapp.com;kcollins@schillerknapp.com;mpreston@schillerknapp.com  
 Rebecca K. McDowell on behalf of Creditor First Niagara Bank, N.A. rmcowell@slgcollect.com  
 Robert L. Saldutti on behalf of Creditor First Niagara Bank, N.A. rsaldutti@saldutticollect.com, lmarciano@saldutticollect.com;kcollins@slgcollect.com

TOTAL: 13